

1 Barry Milgrom, State Bar No. 99961  
2 Gregg S. Kleiner, State Bar No. 141311  
3 LUCE, FORWARD, HAMILTON & SCRIPPS LLP  
4 121 Spear Street, Suite 200  
5 San Francisco, California 94105-1582  
6 Telephone No.: 415.356.4600  
7 Fax No.: 415.356.3896  
8 Email: [bmilgrom@luce.com](mailto:bmilgrom@luce.com)  
9 [gkleiner@luce.com](mailto:gkleiner@luce.com)

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12 Counsel for MOHAMED POONJA,  
13 Trustee in Bankruptcy  
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8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 In re  
12 GUILLERMO MONTES GUTIERREZ,  
13 Debtor.  
14  
15  
16 Case No. 10-63185 CN  
Chapter 7  
Hon. Charles Novack  
**TRUSTEE'S CONFIRMATION OF (I)  
DISPOSITION OF PROPERTY AND (II)  
RECEIPT OF FUNDS**  
[No hearing requested]

17 Pursuant to the Order Authorizing Trustee To Sell/Abandon General Intangibles;  
18 Opportunity To Overbid, a copy of which is attached hereto as Exhibit A, the Trustee has received  
19 \$60,000.00 from Guillermo Montes Gutierrez for all of the Trustee's and the Estate's right, title  
20 and interest in and to the post-Petition Date goodwill and general intangibles of the Plating  
21 Business.

22 DATED: September 18, 2012 LUCE, FORWARD, HAMILTON & SCRIPPS LLP

23 By:  
24

  
GREGG S. KLEINER

25 Counsel for Mohamed Poonja, Trustee in Bankruptcy  
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## **EXHIBIT A**

Entered on Docket  
September 19, 2011  
GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



1 Barry Milgrom, State Bar No. 99961  
2 Gregg S. Kleiner, State Bar No. 141311  
3 LUCE, FORWARD,  
4 HAMILTON & SCRIPPS LLP  
5 121 Spear Street, Suite 200  
6 San Francisco, California 94105-1582  
7 Telephone No.: 415.356.4600  
8 Fax No.: 415.356.3896  
9 Email: bmilgrom@luce.com  
gkleiner@luce.com

10  
11 Counsel for MOHAMED POONJA,  
12 Trustee in Bankruptcy

The following constitutes  
the order of the court. Signed September 19, 2011

*Charles Novack*

Charles Novack  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re

GUILLERMO MONTES GUTIERREZ,

Debtor.

Case No. 10-63185 CN

Chapter 7

Hon. Charles Novack

**ORDER AUTHORIZING TRUSTEE  
TO SELL/ABANDON GENERAL  
INTANGIBLES; OPPORTUNITY  
TO OVERBID**

[No Hearing Requested]

18 The Court having reviewed and considered (i) the "Motion for Order Authorizing Trustee  
19 to Sell/Abandon General Intangibles; Opportunity to Overbid ("Motion") [Docket 48] filed by  
20 Mohamed Poonja, Chapter 7 Trustee ("Trustee") of the above captioned debtors ("Debtors"), the  
21 (ii) Trustee's Request for Order approving the Motion and (iii) Declaration of Gregg S. Kleiner in  
22 support thereof, notice of the Motion and sale being appropriate under the circumstances and good  
23 cause appearing therefor,

IT IS HEREBY ORDERED:

- 24 1. The Motion is approved in all respects in accordance with the terms described in  
25 the Motion;
- 26 2. The Trustee is hereby authorized to enter into the Agreement<sup>1</sup> to sell to the Buyer,

28 <sup>1</sup> All capitalized terms not defined herein, shall have the meaning ascribed to them in the Motion and the Notice.

1 all of the Trustee's and the Estate's right, title and interest in and to the post-Petition Date  
2 goodwill and general intangibles of the Plating Businesses (collectively, "Goodwill"), including  
3 the right to hire Debtor's former employees and to use Debtor's customer list, but only to the  
4 extent that such right, title and/or interest exceed any liens against the Goodwill, for \$60,000 in  
5 cash ("Purchase Price"). The Purchase Price shall be paid within ten (10) days of the date of the  
6 entry of this Order;

7       3.     Subject only to timely payment of the Purchase Price, and without further order of  
8 this Court, the Trustee is hereby authorized to abandon to the Debtor all of the estate's right, title  
9 and interest in and to the Plating Businesses, pursuant to Bankruptcy Code Section 554, to the  
10 extent that any rights in the Plating Business are not sold to Buyer (i.e., to the extent that it is  
11 subject to liens); and

12       4. This Order is effective upon entry, and the stay otherwise imposed by Rule 62(a) of  
13 the Federal Rules of Civil Procedure and/or Bankruptcy Rule 6004(h) shall not apply.

**\*\*END OF ORDER\*\***

**\*\*COURT SERVICE LIST\*\***

Office of the U. S. Trustee  
280 S. First Street, Suite 268  
San Jose, CA 95113

4 Mohamed Poonja  
5 P.O. Box 1510  
Los Altos CA 94023-1510

6 Gregg S. Kleiner, Esq.  
7 Luce, Forward, Hamilton & Scripps LLP  
8 121 Spear Street, Suite 200  
San Francisco, CA 94105